



CALIFORNIA STATE BOARD OF EDUCATION

MARCH 2004 AGENDA

SUBJECT Request by the Academy of Culture and Technology for an Extension of Time to Meet State Board of Education Condition Related to SELPA Membership	<input checked="" type="checkbox"/> Action
	<input checked="" type="checkbox"/> Information
	<input type="checkbox"/> Public Hearing

RECOMMENDATION

The following item is provided to the State Board of Education (SBE) for information and action as deemed necessary and appropriate. A recommendation will be provided as a last minute memorandum.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

SBE Authority to Grant Charters: Pursuant to *Education Code* Section 47605(j), as of January 1, 1999, a charter school that has been denied approval by a local chartering entity may petition the SBE to approve the charter. As of January 1, 2003, a charter school must be denied by both a local school district and county office of education before it may petition the SBE to approve the charter. *Education Code* Section 47607(a)(1) states that a charter may be granted for a period not to exceed five years. However, the SBE has chosen to grant three-year terms to the charter schools it has approved on appeal to date.

Previous Requests: Since January 1999, the SBE has reviewed several charter petitions that have been denied at the local level and has to date approved nine such requests. At its December 2000 meeting, the SBE approved two charter schools: the Oakland Military Institute in Alameda County and Ridgecrest Charter School in Kern County. In July 2001, the SBE approved the renewal of the Edison Charter Academy in San Francisco, which had been denied renewal by the district. At its December 2001 meeting, the SBE approved the New West Charter Middle School and the Animo Inglewood Charter High School, both of which are located in Los Angeles County. In February 2003, the SBE approved the Knowledge is Power Program (KIPP) Summit Academy in Alameda County. Finally, in November 2003, the SBE approved the Academy of Culture and Technology in Los Angeles County and Leadership Public Schools – San Rafael in Marin County.

Oversight of Charter Schools by the SBE: At the request of the SBE, California Department of Education (CDE) staff presented an issue paper at its May 2000 meeting that outlined a comprehensive proposal for the review, approval, and oversight of previously denied charters. The issue paper proposed that the SBE adopt regulations that define a process for review of a charter petition that has been denied locally. Regulations were developed and approved by the SBE at its December 2001 meeting and are currently in use.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION - CONTINUED

Academy of Culture and Technology (ACT): The SBE granted approval of the petition by the Pomona Valley Center for Community Development (PVCCD) to establish the ACT for a three year period (from July 1, 2005, through June 30, 2008), subject to the petitioners satisfying specified conditions. One of those conditions (#3) has two parts requiring first that the petitioners “not later than February 2, 2004, submit written verification of having applied to join a special education local plan area (SELPA) or having applied to the Pomona Unified School District to be considered a school of the district for special education purposes.” The second part of the condition requires the petitioners to verify that the school is either participating in a SELPA or has an agreement with Pomona Unified School District for the provisions of special education services.

SUMMARY OF KEY ISSUES

The petitioners did not meet the February 2, 2004 date for complying with the first part of the SBE condition (#3) and would like a 60-day extension of time in which to meet the condition. The petitioners’ letter to the Director of the East San Gabriel Valley SELPA indicates only that the petitioners are at this time requesting information regarding SELPA membership. This letter does not fulfill the requirement of having applied to join the SELPA. CDE staff have requested ACT to provide information in writing regarding: (1) what SELPA deadlines, if any, exist for submission of applications for membership; (2) when ACT expects to submit an application to the SELPA; (3) what other requirements the school must meet in order to be accepted into the SELPA, and; (4) the approximate time line for the approval process. The SBE has previously granted an extension of time to meet the SELPA application and membership condition to one other SBE-approved charter school.

FISCAL ANALYSIS (AS APPROPRIATE)

Approval of the request for an extension of time will not result in any measurable costs or savings to CDE or ACT.

ATTACHMENT

Attachment1: ACT Letter to the East San Gabriel Valley SELPA (1 Page) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board office.)

The CDE staff analysis of the request for a time extension will be presented at the March 2004 meeting as a Last Minute Memorandum.